

COPY

Case Docket No.: 1340-1-017

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below under our names.

We believe that we are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**A POLYPEPTIDE COMPRISING THE AMINO ACID OF AN N-TERMINAL
CHOLINE BINDING PROTEIN A TRUNCATE, VACCINE DERIVED
THEREFROM AND USES THEREOF**

the Specification of which

☐ is attached hereto

☒ was filed on April 7, 1998

as Application Serial No. 09/056,019

and was amended on _____ (if applicable).

We hereby state that we have reviewed and understand the contents of the above-identified Specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any provisional application filed in the United States in accordance with 35 U.S.C. §1.119(e), or any application for patent that has been converted to a Provisional Application within one (1) year of its filing date, or any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FILED APPLICATION(S)

<u>APPLICATION</u>	<u>COUNTRY</u>	<u>(DAY/MONTH/YEAR FILED)</u>	<u>PRIORITY</u>
<u>NUMBER</u>			<u>CLAIMED</u>
N O N E			

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in any prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a), which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION FILING DATE STATUS - PATENTED, PENDING,
NO. (DAY/MONTH/YEAR) ABANDONED
 NONE

I hereby appoint as my attorneys or agents the following persons: Jack Matalon (Attorney, Registration No. 22,441); Stefan J. Klauber (Attorney, Registration No. 22,604); David A. Jackson (Attorney, Registration No. 26,742); Michael D. Davis (Attorney, Registration No. 39,161); Christine E. Dietzel (Agent, Registration No. 37,309); William C. Cappola (Attorney, Registration No. P 41,686); and Mark S. Cohen (Attorney, Registration No. P 42,425) said attorneys or agents with full power of substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Please address all correspondence regarding this application to:

DAVID A. JACKSON, ESQ.
KLAUBER & JACKSON
411 HACKENSACK AVENUE
HACKENSACK, NEW JERSEY 07601

Direct all telephone calls to David A. Jackson at (201) 487-5800.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF FIRST OR SOLE INVENTOR: ELAINE I. TUOMANEN
 FULL RESIDENCE ADDRESS: 9600 Dove Meadow Cove W.
 Germantown, TN 38139
 COUNTRY OF CITIZENSHIP: U.S.A.
 FULL POST OFFICE ADDRESS: 9600 Dove Meadow Cove W.
 Germantown, TN 38139

SIGNATURE OF INVENTOR _____
DATE _____

FULL NAME OF SECOND JOINT INVENTOR: THERESA M. WIZEMANN

FULL RESIDENCE ADDRESS: 9 Peach Leaf Court
North Potamac, MD 20878

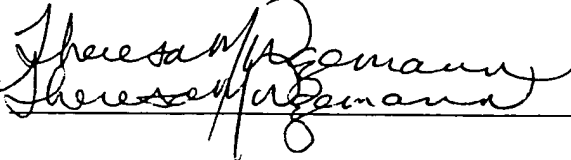
COUNTRY OF CITIZENSHIP: U.S.A.

FULL POST OFFICE ADDRESS: 9 Peach Leaf Court
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SIGNATURE OF INVENTOR

DATE

6/29/98
6/29/98



FULL NAME OF THIRD JOINT INVENTOR: H. ROBERT MASURE

FULL RESIDENCE ADDRESS: 9600 Dove Meadow Cove W.
Germantown, TN 38139

COUNTRY OF CITIZENSHIP: U.S.A.

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SIGNATURE OF INVENTOR

DATE

FULL NAME OF FOURTH JOINT INVENTOR:

FULL RESIDENCE ADDRESS:

COUNTRY OF CITIZENSHIP:

FULL POST OFFICE ADDRESS:

LESLIE SYDNOR JOHNSON

13545 Ambassador Drive
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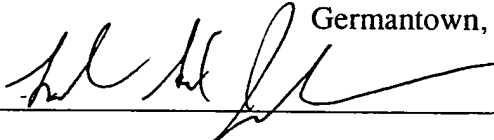
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FULL NAME OF FIFTH JOINT INVENTOR: SCOTT KOENIG
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SIGNATURE OF INVENTOR

DATE

Scott Koenig
June 29, 1998
June 21, 1998

APPLICATION FILING DATE STATUS - PATENTED, PENDING,
NO. (DAY/MONTH/YEAR) ABANDONED
NONE

I hereby appoint as my attorneys or agents the following persons: Jack Matalon (Attorney, Registration No. 22,441); Stefan J. Klauber (Attorney, Registration No. 22,604); David A. Jackson (Attorney, Registration No. 26,742); Michael D. Davis (Attorney, Registration No. 39,161); Christine E. Dietzel (Agent, Registration No. 37,309); William C. Cappola (Attorney, Registration No. P 41,686); and Mark S. Cohen (Attorney, Registration No. P 42,425) said attorneys or agents with full power of substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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FULL NAME OF FIRST OR SOLE INVENTOR: ELAINE I. TUOMANEN

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SIGNATURE OF INVENTOR *Elaine I. Tuomanen*

DATE 5/11/98

FULL NAME OF SECOND JOINT INVENTOR: THERESA M. WIZEMANN

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SIGNATURE OF INVENTOR _____

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FULL NAME OF THIRD JOINT INVENTOR: H. ROBERT MASURE

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SIGNATURE OF INVENTOR *H. Robert Masure*

DATE 5/11/98

FULL NAME OF FOURTH JOINT INVENTOR:

FULL RESIDENCE ADDRESS:

COUNTRY OF CITIZENSHIP:

FULL POST OFFICE ADDRESS:

LESLIE SYDNOR JOHNSON

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U.S.A.

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SIGNATURE OF INVENTOR _____

DATE _____

FULL NAME OF FIFTH JOINT INVENTOR: SCOTT KOENIG
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COUNTRY OF CITIZENSHIP: U.S.A.
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SIGNATURE OF INVENTOR _____

DATE _____

Attorney's Docket No. 44158/207989 (5853-2)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Elaine I. Tuomanen et al. Group Art Unit: 1631
Application No.: 09/056,019 Examiner Name: Marianne P. Allen
Filed: April 7, 1998
For: A POLYPEPTIDE COMPRISING THE AMINO ACID OF AN N-
TERMINAL CHOLINE BINDING PROTEIN A TRUNCATE,
VACCINE DERIVED THEREFROM AND USES THEREOF

Commissioner for Patents
Washington, DC 20231

COPY

REVOCATION OF POWER OF ATTORNEY
AND NEW POWER OF ATTORNEY BY MEDIMMUNE, INC.

Sir:

Medimmune, Inc., an assignee of an undivided part interest in the above-referenced patent application by virtue of assignment from Theresa M. Wizemann, Leslie Sydnor Johnson and Scott Koenig, hereby revoke all powers of attorney previously granted with respect to the above-identified patent application, and appoints the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and directs that all correspondence be addressed to that Customer Number:

Customer Number 00826

with full power of substitution and revocation to transact all business in the Patent and Trademark Office in connection therewith.

Please direct telephone calls to the attention of:

W. Murray Spruill
Registration No. 32,943
Tel Raleigh Office (919) 862-2200
Fax Raleigh Office (919) 862-2260

Medimmune, Inc. hereby elects under 37 C.F.R. § 3.71 to prosecute this patent application and certifies that it is:

1. ☐ the assignee of the entire right, title, and interest; or
2. ☒ an assignee of an undivided part interest

in the patent application identified above by virtue of either:

- A. ☒ An assignment from the above-identified inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 9422, Frame 0704, or for which a copy thereof is attached.

In re: Elaine I. Tuomanen et al.
Appl. No.: 09/056,019
Filed: April 7, 1998
Page 2

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the Assignee.

By: *Michael Richman*
Michael Richman
(Print or type name of person signing)

Title: *SVP Corporate Development*

Date: *10/16/01*

CUSTOMER NO. 000826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Raleigh Office (919) 862-2200
Fax Raleigh Office (919) 862-2260

CERTIFICATION OF FACSIMILE TRANSMISSION	CERTIFICATE OF MAILING
<p>I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office at Fax No. _____ on the date shown below.</p> <p>(Type or print name of person signing certification.)</p> <p>_____ Signature</p> <p>_____ Date</p>	<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on 10/17/01</p> <p><u><i>Pamela Lockley</i></u> Pamela Lockley</p>

RTA01/2091785v1